

REMARKS

Reconsideration and allowance of the pending claims is respectfully requested in view of the amendments and the following remarks. Claims 1–45 were previously pending. Claims 1, 9, 10, 13, 19–21, 23 and 25–45 are amended. Claims 5–8, 11, 12, 17, 18 and 22 are canceled. Claims 1–4, 9, 10, 13–16, 19–21 and 23–45 remain pending.

Rejections Under 35 U.S.C. 102

Claims 1–45 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,505,236 issued to Pollack (hereinafter “Pollack”). Applicant respectfully traverses the rejection.

Claim 1 has been amended and now recites a method that includes steps of: (1) “receiving a request to send an email;” (2) “determining whether the email to be sent includes one or more attachments;” (3) “determining whether a recipient of the email has distributed storage separate from an incoming email server of the recipient for storing email attachments, if the email to be sent includes one or more attachments;” (4) determining a network address of the recipient’s distributed storage for storing email attachments, if the recipient has such distributed storage;” and (5) “determining whether the recipient’s distributed storage is available to receive the one or more attachments upon determining the network address....”

In addition, steps added in the current amendment include “if the recipient has distributed storage for storing email attachments and the distributed storage is available to accept said one or more attachments:

sending a main body of the email to the incoming email server of the
recipient;

sending an instruction to the recipient's distributed storage to submit a request for the one or more attachments of the email; and upon receipt of such a request, sending the one or more attachments of the email to the recipient's distributed storage for email."

The amendments to claim 1 require that a body of an email be sent to a separate location than an attachment to the email. Before sending the attachment to the appropriate storage location, an instruction is sent to that location to send a request for the attachment. The attachment is sent to the attachment storage location only upon receipt of such a request.

The cited reference does not disclose or anticipate the elements recited in claim 1 as amended. Therefore, claim 1 is allowable and the rejection thereof should be withdrawn.

Claims 2 – 4, 9 and 10 depend from claim 1 and are allowable at least by virtue of that dependency. Accordingly, the rejection of these claims should be withdrawn.

Claims 5–8, 11, 12, 17, 18 and 22 are canceled, thus rendering the rejection thereof moot.

Claim 13 has been amended to include steps of "sending an instruction to the recipient's distributed storage to submit a request for the one or more attachments of the email; and upon such a request, sending the one or more attachments of the email to the recipient's distributed storage for email attachments." This is similar to the amendment made to claim 1 and discussed above. Claim 13 requires that an attachment be sent to distributed storage for attachments only when requested to do so by the distributed storage entity.

The cited reference does not disclose or anticipate the elements of claim 13 as amended. Accordingly, claim 13 is allowable over the cited references and the rejection thereof should be withdrawn.

Claims 14–16 depend from claim 13 and are allowable at least by virtue of that dependency. Accordingly, the rejection of these claims should be withdrawn.

Independent **claims 19, 23, 28, 35, 38, 39 and 41** have been amended to be directed towards a peer-to-peer communication system by which e-mail attachments may be sent to a distributed storage system separate from an e-mail server. Conversely, Pollack describes a network-based system that strips e-mail attachments from the e-mail message at the e-mail server.

These amendments/distinctions are made to reflect the substance of a previous interview between the Applicant and the Examiner and Applicant believes they place said claims in allowable form over Pollack, since Pollack describes a network-based system that strips e-mail attachments from the e-mail message at the e-mail server.

Accordingly, claims 19, 23, 28, 35, 38, 39, and 41 are allowable over the cited reference and the rejection thereof should be withdrawn.

Claims 20, 21, 24–27, 29–34, 36, 37, 40 and 42–45 depend from claims 19, 23, 28, 35, 38, 39 and 41, respectively, and are allowable at least by virtue of that dependency. Accordingly, the rejection of these claims should be withdrawn.

Conclusion

The remaining references of record have been studied. It is respectfully submitted that they do not compensate for the deficiencies of the reference utilized to reject the pending claims.

All objections and rejections having been addressed, it is respectfully submitted that the present application is now in condition for allowance. Early and forthright issuance of a Notice to that effect is earnestly solicited.

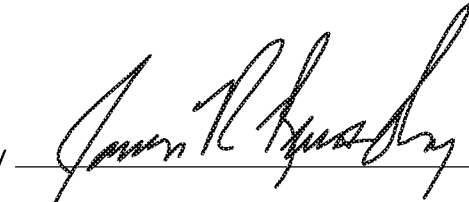
Respectfully submitted,

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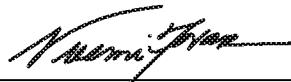
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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence and the documents identified on this form are being electronically deposited with the USPTO via EFS-Web on the date shown below:

March 21, 2006

Date



Noemi Tovar